IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4049 OF 1998

Anand N. Gunjagi .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondents

Mr.R.K.Mendadkar for petitioner

Mr.C.R.Sonawane, A.G.P. for State.

CORAM : A.P.SHAH AND

S.C.DHARMADHIKARI, JJ.

DATE : 18TH OCTOBER 2004.

P.C.

1. We have heard learned Counsel appearing for petitioner Mr.Mendadkar and Mr.Sonawane, A.G.P. for respondents.

2. Mr.Mendadkar, on instructions from his client who is present in court, seeks leave to

withdraw the petition with liberty to approach scrutiny committee with further and better evidence.

3. Mr.Mendadkar states that petitioner hasnot availed of any benefit as a member of scheduled tribe but this order might come in the way of petitioner's family members and, therefore, he should be allowed to withdraw the petition with liberty to petitioner and/or his family members to approach the scrutiny committee afresh with a request for appropriate reliefs.

4. The request made by learned Counsel seems to be reasonable and we allow the petitioner to withdraw the petition with liberty to the petitioner to approach the scrutiny committee afresh as indicated above. Needless to say that in case the petitioner or his family members approach the scrutiny committee, the impugned order of the scrutiny committee will not come in their way. Such application shall be decided on its own merits in accordance with law.

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